Statement

"24. *(1)*For every High Court, the Central Government or the State Government shall, after consultation with the High Court, appoint a Public Prosecutor and may also appoint one or more Additional Public Prosecutors, for conducting in such Court, any prosecution, appeal or other proceeding on behal of the Central Government or State Government, as the case may be.

(2) The Central Government may appoint one or more Public Prosecutors for the purpose of conducting any case or class of cases in any district or local area.

(3) For every district, the State Government shall appoint a Public Prosecutor and may also appoint one or more Additional Public Prosecutors for the district:

Provided that the Public Prosecutor and Additional Public Prosecutor appointed for one district may be appointed also to be a Public Prosecutor or an Additional Public Prosecutor, as the case may be, for another district.

(4) The District Magistrate shall, in consultation with the Sessions Judge, prepare a panel of names of persons, who are, in his opinion fit to be appointed as Public Prosecutors or Additional Public Prosecutors for the district.

(5) No person shall be appointed by the State Government as the Public Prosecutor or Additional Public Proseclutor for the district unless his name appears in the panel of names prepared by the District Magistrate under sub-section *(4)*

(6) Notwithstanding anything contained in sub-section *(5)*, where in a State there exists a regular Cadre of Prosecuting Officers, the State Government shall appoint a Public Prosecutor or an Additional Public Prosecutor only from among the persons constituting such Cadre:

Provided that where, in the opinion of the State Government, no suitable person is available in such Cadre for such appointment that Government may appoint a person as Public Prosecutor or Additional Public Prosecutor, as the case may be, from the panel of names prepared by the District Magistrate under sub-section *(4)*

(7) A person shall be eligible to be appointed as a Public Prosecutor or an Additional Public Prosecutor under sub-section *(1)* or sub-section *(2)* or sub-section *(3)* or sub-section *(6)*, only if he has been in practice as an advocate for not less! than seven years.

(8) The Central Government or the State Government may appoint, for the purposes of any case or class of cases, a person who has been in practice as an advocate for not less than ten years as a Special Public Prosecutor.

(9) For the purposes of sub-section *(7)* and sub-section *(8)*, the period during which a person has been in practice as a pleader, or has rendered (whether before or after the commencement of this Code) service as a Public Prosecutor or as an Additional Public Prosecutor or Assistant Public Prosecutor or other Prosecuting officer; by whatever name called shall be deemed to be the period during which such person has been in practice as an advocate.

All Party meeting on electoral reforms

3039. DR. ALLADI P. RAJKUMAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) The major decisions taken at the recently held all- party meeting on electoral reforms; and

(b) the follow-up action taken thereon?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) Appointment of a 7-Member Committee under the Chairmanship of Shri Indrajit Gupta, Member of Parliament, to suggest concrete proposals for providing state funding of elections as also to consider related

proposals pertaining to maintenance of accounts by political parties and audit thereof, ban on donation by companies to political parties, inclusion of expenses of political parties in the election expenses of candidates for the purposes of ceiling on election expenses and empowering of Election Commission to fix ceiling on election expenses; broad agreement on the proposal of lowering age of contesting candidates and to take fresh delimitation when it becomes mandatory as per existing constitutional provision were amongst the major decisions taken at the meeting of political parties held recently to consider proposals on electoral reforms. The committee under the Chairmanship of Shri Indrajit Gupta is likely to submit its report by the end of August, 1998.

Amendments in VII Schedule of the Constitution

3040. DR. ARUN KUMAR SARMA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the details of the items transferred from state list to concurrent list and concurrent list of Union list through various constitutional amendments of seventh schedule after adoption of Indian Constitution, amendment-wise?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): Sir Details of items which have been transferred from state List to Concurrent List and Concurrent List to Union List through various constitutional amendments are given in the statement annexed herewith. *See* below).

Statement

S. No.	Constitution Amendment Acts which affected Seventh Schedule	Subject and Entry of State List	Subject and Entry of Concurrent List
1.	The Constitution (Seventh Amendment) Act, 1956.	Entry 36: Acquisition or requisitioning of propoerty, except for the pruposes of the Union, subject to the provisions of entry 42 of List III.	Entry 42: Acquisition and requisitioning of property
2.	The Constitution (Forty-secton Amendment) Act, 1976	Entry 03. *(Partly)* Administration of justice; constitution and organisation of all courts, except the supreme Court and the High Court: officers and servants of the High Court; procedure in rent and revenue courts; fees taken in all courts except the Supreme Court.	Entry 11A: Administration of justice; constitution and organisation of all courts, except the Supreme Court and the High Courts.
3.	-do-	Entry 11: Education, including universities subject to the provisions of entries 63, 64 65 and 66 of List I and entry 25 of List III.	Entry 25: Education, including technical education, medical education and universities, subject to the provisions of entries 63,64,65 and 66 of List I; vocational and technical training of labour.
4.	-do-	Entry 19: Forests.	Entry 17A: Forests